

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SHAWN CANADA,

Case No. 19-CV-0764 (JRT/SER)

Plaintiff,

v.

ORDER

PAUL SNELL,
ROGER CARR,
MATHIAS ANTONY, and
KEITH ELLISON,

Defendant.

Shawn Canada, 1706 University Ave West, St. Paul, MN 55104, *pro se* petitioner.

Matthew Frank, **MINNESOTA ATTORNEY GENERAL'S OFFICE**,
445 Minnesota Street, Suite 1800, St Paul, MN 55101-2134, for
respondents.

United States Magistrate Judge Steven E. Rau filed the Report and Recommendation on May 15, 2019 [ECF No. 16]. No objections have been filed to the Report and Recommendation in the time period permitted. Accordingly, **IT IS HEREBY ORDERED** that:

1. Shawn Canada's Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody [ECF No. 1] is **DISMISSED** without prejudice for failure to exhaust state remedies;
2. A certificate of appealability will **NOT BE GRANTED**;

3. Canada's Application to Proceed *In Forma Pauperis* [ECF No. 2] is **DENIED** as moot;
4. Canada's Motion to Stand Trial [ECF No. 4] is **DENIED** as moot;
5. Canada's Motion to Restructure Conditions [ECF No. 6] is **DENIED** as moot;
6. Canada's Motion to Add Defendants and Restructure Conditions [ECF No. 10] is **DENIED** as moot; and
7. Canada's Motion for Jury Trial and Immediate Release [ECF No. 13] is **DENIED** as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 13, 2019
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court